

Instructions for completing
Petition for Estate Administration
(NHJB-2145-P)

Form use. This form is used to ask the court to appoint an executor or administrator for a deceased's estate. It is on this form that the petitioner names an appraiser to value the estate.

Top part of form

- COURT NAME:** Enter the name of the county probate court where the document will be filed. (example: Belknap County Probate Court; Rockingham County Probate Court).
- CASE NAME:** Enter the name of the deceased (example: Estate of John Adams; Estate of Susan Jones).
- CASE NUMBER:** Leave blank if not yet assigned by court OR fill in case number if it is known.

Main part of form

1. Petitioner Name is the name of the person filing the petition. Enter that person's name, telephone number and complete mailing address with zip code.
2. If there are co-petitioners, the second person's name, telephone number and address information should be included under #2.
3. If you have an attorney helping you with this case, enter his or her name, telephone number, complete mailing address including zip code and Bar id number.
4. Deceased name is the name of the person who died. Also fill in that person's date of death as it appears on the death certificate, and the street address, city or town and state of their last legal residence.
5. This item indicates whether the deceased died with or without a will. Check the appropriate box.
6. If the deceased died with a will, indicate whether the petitioner was named or not named in the will to be the executor or administrator of the estate.
7. Check off the box which best describes your fiduciary role in this case.
 - a. **Executor** is a person or entity named in the deceased's will to manage and settle the deceased's estate.
 - b. **Administrator** is a person or entity who will manage and settle the deceased's estate, but has not been named by the deceased since there is no will.
 - c. **Ancillary executor or administrator** is a person or entity appointed in another state or country to manage and settle the deceased's estate in that state or country, but then needs to request that they be able to manage and settle the deceased's assets (usually real estate) located in New Hampshire.
 - d. **Special administrator** is a person appointed by the court to assist the court in evaluating such things as factual issues involving the validity of a will, matters being contested by parties to the estate, questions of law, or any other cause if the interests of the estate require it.

e. **Administrator with will annexed** is a person or entity who will manage and settle the deceased's estate, but was not named in the deceased's will to perform those duties. They are appointed to manage and settle the deceased's estate because the person named in the will, but who had not been appointed, is either unable or unwilling to serve as executor.

f. **Administrator de bonis non** is a person or entity appointed by the court to manage and settle the deceased's estate because the previous executor or administrator, who was appointed, is unable or unwilling to continue.

8. If you are petitioning to be either an "administrator with will annexed" or an "administrator de bonis non", you must complete this section, filling in the name of the previous executor or administrator, his or her address after the "of", and the reason that person will not serve as executor or administrator.
9. Check either the yes or no box once you have determined if Waiver of Full Administration applies to your case. You may qualify to file a Waiver of Full Administration if one of the sets of following conditions applies:
 - a. the deceased died with a will and the surviving spouse (or, if no spouse, an only child) is named in the will as the sole beneficiary and is appointed to serve as executor; or
 - b. the deceased died without a will and the surviving spouse (or, if no spouse, an only child) is the sole heir and is appointed to serve as administrator.
10. If the yes box regarding Waiver of Administration is checked in question 9, or if this administration involves a resident of another state, list the address, city or town of any NH real estate owned by the deceased and which is only in the deceased's name.
11. This question is to provide the court with a rough estimate of the value of the estate to be administered through the probate court. Enter an estimated value for the real estate and an estimated amount for the value of the personal property in the estate. Total the two amounts and enter that on the line provided.

Signature section on second page of form

The paragraph prior to the signature is where the petitioner asks the court to grant administration to the person who is to serve as executor or administrator. In the first sentence, after "granted to", enter the name of that person. After "of" in that same sentence, enter the complete mailing address for that person. In addition the date of birth for that person must be provided.

In that same section, the petitioner must name an appraiser for the estate. In the "appraiser name and address" sections, list the name, address and occupation of the person who will serve as the appraiser for the estate. The appraiser named must reside in New Hampshire, have no interest in the estate, and no relationship to the deceased. The person does NOT have to be a professional appraiser. This person will sign the Inventory which will list all the assets of the estate. If the "yes" box regarding Waiver of Administration is checked in question 9, the requirement for an appraiser is waived so you may leave this section blank.

The sentence prior to the signature section indicates that the person filing this document has provided copies to all attorneys, parties and persons beneficially interested in the case. Sign the form on the **PETITIONER SIGNATURE** line, and date it in the appropriate space to the left. If there are two petitioners, both petitioners must sign and date the form.

Order

This section will be completed by the judge once the document is filed with the court and reviewed in detail by the judge.

Review the completed form for accuracy prior to filing it with the court. If completing this form on-line, some fields may be filled in automatically based on entries in other fields. If more space is needed for any question, please attach additional sheets of paper.